
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

DAVID WEBB,

Plaintiff,

v.

ELIJAH SWENSEN, TRAVIS KEARL,
ALICIA MARIE WASHINGTON, ANDY
MUELLER, BENJAMIN REINKINS
SOKOLIK, MICHAEL ASHMENT, BRETT
JAY LYMAN, AND CLINT R. DRAKE,

Defendants.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

Case No. 1:14-cv-00148-DB-DBP

District Judge Dee Benson

Magistrate Judge Dustin B. Pead

Before the court is the Report and Recommendation issued by United States Magistrate Judge Dustin B. Pead on February 23, 2016, recommending that this Court: (1) deny Plaintiff's various motions for recusal (Dkt. Nos. 18, 20, 27) and (2) deny Plaintiff's motion to amend his complaint because the Plaintiff's proposed amendment is futile (Dkt. No. 25).

The parties were notified of their right to file objections to the Report and Recommendation within fourteen (14) days after receiving it. On March 3, 2016, Plaintiff filed "Pro Se Plaintiff Webb's Objections to R&R." (Dkt. No. 31.) Additionally, on March 4, 2016, Plaintiff filed "Supplemental Pro Se Plaintiff Webb's Objections to R&R." (Dkt. No. 33.)


Having reviewed the Plaintiff's *pro se* objections, the record before the Magistrate Judge, and the reasoning set forth in the Magistrate Judge's Report and Recommendation, the Court ADOPTS the Report and Recommendation. Accordingly, the Court hereby ORDERS as follows:

1. Plaintiff's motions for recusal pursuant to 28 U.S.C. § 455 and 28 U.S.C. § 144 (Dkt. Nos. 18, 20, 27) are DENIED.

2. Plaintiff's motions to amend his complaint (Dkt. Nos. 12, 14) are declared moot.
3. Plaintiff's second motion to amend his complaint (Dkt. No. 25) is DENIED without prejudice as it relates to claims against Defendant Officer Swenson and with prejudice regarding the remaining claims and Defendants.

IS SO ORDERED.

DATED this 22nd day of March 2016.



Dee Benson
United States District Judge